

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

MOBILE GAS SERVICE CORPORATION,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 04-0398-P-M
)	
THE UTILITIES BOARD OF THE CITY)	
OF DAPHNE, a corporation, and ARTHUR E.)	
RIGAS, individually and in his official capacity)	
as Director of the Utilities Board of the City of)	
Daphne,)	
)	
Defendant.)	

JUDGMENT

In accordance with this court's Order of Dismissal entered on May 31, 2005 (doc.96), it is ORDERED, ADJUDGED, and DECREED that this action brought by plaintiff Mobile Gas Services Corporation against defendant the Utilities Board of the City of Daphne, and defendant Arthur E. Rigas is hereby DISMISSED without prejudice. Costs are taxed as paid.

Further, in accordance with this court's Order entered this date, it is ORDERED, ADJUDGED, and DECREED that the Petition and Application For Attorneys' Fees and Costs filed by defendants (docs.86-87, 99), is hereby DENIED.

DONE this 30th day of September, 2005.

S/Virgil Pittman
SENIOR UNITED STATES DISTRICT JUDGE